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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,841	09/14/2000	Graham S. Tubbs	042390.P9741	1651

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EXAMINER

PATEL, NIKETA I

ART UNIT

PAPER NUMBER

2182

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/661,841

Applicant(s)

TUBBS ET AL.

Examiner

Niketa I. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### *Specification*

2. The abstract of the disclosure is objected to because it fails to sufficiently describe the present invention. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

4. The disclosure is objected to because of the following informalities:

- 1) Brief summary of the invention is missing. Applicant is reminded of the proper language and format for a brief summary of the invention of the disclosure.

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

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2) 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms, which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: Page-10 lines 11 and 15 recites, "***Blah blah blah***", page-8 lines 21 and 22 recites, "***a PCMLA (what does this stand for)***".

Appropriate corrections are required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. A ***Peripheral Interface Components bus*** is being claimed, however this subject matter is not described in the specification nor is it shown in any of the drawings.

However it is believed that the claim should state, "***Peripheral Component Interconnect bus***". The remainder of the office action will be written as if this is the correct form of the claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-7 and 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Young et al., U.S. Patent Number: 6,434,644 hereinafter, "Young Patent".

9. Referring to claim 1, Young Patent teaches a first processor adapted to execute a user application (see figure 1 – element 102); a second processor adapted to process a wireless communication (see figure 1 – element 108); and an input port coupled to the first processor and the second processor (see figure 1 – element 116).

10. Referring to claim 2, Young Patent teaches a display, wherein the first processor and the second processor are further adapted to display information on the display (see figure 1 – element 112).

11. Referring to claim 3, Young Patent teaches an interface adapted to couple the first processor to the second processor (see figure 1 – element 110).

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12. Referring to claim 4, Young Patent teaches a Peripheral Component Interconnect bus (see figure 1 – element 110; column 3 – lines 18-26).

13. Referring to claim 5, Young Patent teaches a serial bus (see figure 1 – element 110; column 3 – lines 18-26).

14. Referring to claim 6, Young Patent teaches interface that is adapted to provide the second processor user data from the input port (see figure 1 – elements 108, 110, 116).

15. Referring to claim 7, Young Patent teaches a first memory coupled to the first processor (see figure 1 – elements 102, 110, 104); and a second memory coupled to the second processor (see figure 1 – elements 106, 108, 110).

16. Referring to claim 9, Young Patent teaches a digital signal processor (see column 3 – lines 49-56).

17. Referring to claim 10, Young Patent teaches that the first processor is further adapted to execute a user application independently of the second processor (see figure 1 – element 100; column 3 – lines 1-13).

18. Claims 11-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Liebenow U.S. Patent Number: 6,459,896 hereinafter, “Liebenow Patent”.

19. Referring to claim 11, Liebenow Patent teaches a non-volatile memory (see figure 1 – elements 106, 104; see figure 2 – elements 214); an input port (see figure 1 – element 116); an application subsystem coupled to the input port (see figure 2 – elements 214; figure 1 – element 100; column 4 – lines 16-27); and a wireless subsystem (see figure 2 – elements 210, 218, 212) coupled to the input port and to the non-volatile memory (see figure 2 – elements 214; see figure 1 – elements 106, 104; column 3 – lines 61-65).

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20. Referring to claim 12, Liebenow Patent teaches an interface to couple the application subsystem to the wireless subsystem (see figure 1 – element 116; column 3 – lines 48-65).
21. Referring to claim 13, Liebenow Patent teaches a serial interface (see figure 1 – element 116; column 3 – lines 48-65).
22. Referring to claim 14, Liebenow Patent teaches a digital signal processor (see figure 3 – elements 312, 320).
23. Referring to claim 15, Liebenow Patent teaches that the wireless subsystem further comprises a transmitter and a receiver (see figure 3 – elements 310, 318 ).
24. Referring to claim 16, Liebenow Patent teaches that the application subsystem is adapted to execute a user application and process data provided with the input port (see column 4 – lines 24-39).
25. Referring to claim 17, Liebenow Patent teaches that the interface couples the wireless subsystem to the input port (see figure 2 – elements 212, 214; figure 1 – element 100; column 4 – lines 16-27).
26. Referring to claim 18, Liebenow Patent teaches to provide data to an application subsystem through an input port (see figure 2 – elements 214; figure 1 – element 100; column 4 – lines 16-27); and providing data to a wireless subsystem through the input port to initiate a wireless communication (see figure 2 – elements 210, 218, 212; see figure 1 – element 116; column 3 – lines 48-65).
27. Referring to claim 19, Liebenow Patent teaches that providing data to the application subsystem includes providing data through an interface (see figure 1 – element 116; column 3 – lines 48-65).

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28. Referring to claim 20, Liebenow Patent teaches that providing data to the wireless subsystem includes providing data through an interface (see figure 1 – element 116; column 3 – lines 48-65).

29. Referring to claim 21, Liebenow Patent teaches to execute an application with the application subsystem independently of the wireless subsystem (see column 6 – lines 35-41).

*Claim Rejections - 35 USC § 103*

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al., U.S. Patent Number: 6,434,644 hereinafter, “Young Patent”.

32. Referring to claim 8, Young Patent fails to explicitly teach a first power source coupled to the first processor ; and a second power source coupled to the second processor.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that a use of power source for an electrical device was an old and well-known in the computer art. It would have been obvious to one of ordinary skill in the art that at the time of applicant's invention to implement Young et al.'s system with a power source in order to power the electronic processors.



***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents have been made record of to further show the state of the art as it pertains to wireless networks.

Reise U.S. Patent Number: 6,498,999

Anderson U.S. Patent Number: 6,427,165

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (703) 305 4893. The examiner can normally be reached on M-F 9:00 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308 3301. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746 7239 for regular communications and (703) 746 7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305 3900.

NP  
January 11, 2003

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100